No. 13,667.

WASHINGTON, D. C., MONDAY, DECEMBER 21, 1896-SIXTEEN PAGES.

TWO CENTS.

ECKINGTON RAILWAY

Mr. Gallinger's New Bill as to Air Motors.

A PENALTY PROVISION INCLUDED

Memorial of Citizens Presented by Mr. Morgan.

MR. KANE'S LLTTER

The Eckington and Soldiers' Home and the Belt railway companies controversy was brought before the attention of the Senate today. Early in the morning hour the House bill allowing those companies an extension of time in which to out in new motive power was laid before the House, and at about the same time Mr. Gallinger, a member of the committee of the District of Columbia, introduced a bill to amend the charter of these railway companies, which provided that within sixty days from the passage of the act the Eckington and Soldiers' Home Railway Company should have in operation one or more compressed air motors as a part of the daily service of that company. The bill provides that if after a test of two months the said motor or motors shall not in the judgment of the Commissioners prove to be in all respects proper and satisfactory the Commissioners are authorized and directed to issue to the Eckington and Sol-diers' Home and the Belt Line railway companies permits to equip their lines with such compressed air motors, and within six months of the passage of this act these companies are to be entirely equipped with such motors to the satisfaction of the Commissioners. A penalty of \$100 per day is imposed for failure or neglect to comply with this act, and the bill further makes provisions for the full equipment of the reade within algebrase meeting. oads within eighteen months

A Citizens' Memorial.

Mr. Morgan also introduced a memorial from the North Capitol and Eckington Citizens' Association reciting the various instances in which the above railroad companies had to act in accordance with the

A committee from the North Capitol and Eckington Citizens' Association, consisting of W. G. Henderson, president; A. R. Serven and P. T. Keane, called on the chairman of the Senate committee on the Dis-trict of Columbia and had a private con-ference regarding the House bill giving extensions of time to those companies for the proper equipment of the road.

Mr. Kane's Letter.

Senator McMillan today received a communication from T. P. Kane of the North Capitol and Eckington Citizens' Association, regarding the passage in the House last week of a bill granting to the Eckington and Belt railway companies additional time in which to equip their roads with n odern facilities. Mr. Kahe says: "The resolution in question aims to covertly an pul all of the provisions of the act of June 10, 1896, beneficial to the public."

He says the air motor which the Ecking ton and Belt management now pretend to be anxious to test on their lines is what is krown as the Hoadley-Knight system. He claims that it was shown to the satisfac-tion of the Equity Court of this District several weeks ago that this system of air motors is owned by the people who have a controlling interest in the Eckington and Belt lines namely, the Elkins-Widener-Dolan syndicate of Philadelphia. Motors of this system, he says, have been under practical test for several weeks on the Lenox avenue line in New York city, a part of the Metropolitan system, and after a fair trial have been rejected by the officials of that line, who, by a vote of their directors, have determined to put in the underground electric system. He refers to the explosion of the air tanks underneath the floor of one of these cars, which occurred in New York on the evening of the 18th instant.

THE PRESIDENT APPROVES

Becretary Olney Had an Interview With Him Yesterday.

Affairs were unusually quiet about the Executive Mansion and the State Department today, and there were no surface indications of any disturbance of the ordinary routine of business consequent upon Secretary Olney's much-discussed declaration of the policy of the administration on the Cuban question. Secretary Olney had a consultation with the President on the subject yesterday soon after the latter's return from his ducking expedition, in the course of which, it is understood, the President expressed his unqualified approval of the action of the Secretary of State in publicly declaring that the executive would not be bound by the action of Congress in the matter of the recognition of the independence of the insurgents until he was fully satisfied that they were legally and justiy entitled to such recognition by the establishment of a defacto government.

There were only a few visitors at the White House today, and Senator Proctor was the only one whose business might possibly have related to the pending issue between the executive and the legislative branch of the government. The impres-sion that such was the case was strength-ened by the fact that after leaving the White House he called on Secretary Olney and then went back to see the President a

It was stated at the White House and a the State Department that there was nothing further to be said in regard to the constitutional question raised by the Secre-tary of State on Saturday touching the recognition of the Cuban insurgents.

Consul General Lee passed through the

city yesterday afternoon on his way from New York to Tampa, where he will take the steamer for Havana, but his presence fiere had nothing to do with the present state of affairs, and it is said that he did not see either the President or the Secre-

REFORMS IN TURKEY.

The Russian Ambassador Closeted With the Sultan.

CONSTANTINOPLE, December 21 .- The Russian ambassador M. De Nelldoff had an hour's audience of the sultan on Saturday, at which he urged the introduction of reforms and the granting of amnesty to the imprisoned Armenians. His majesty asserted that the reforms agreed upon by the powers had already been executed, and promised to issue the amnesty decrees in lew days.

a sew days.

Subsequently the ambassadors met and exchanged views relative to the new reform proposals to be submitted to the sul-

Southern Pacific Train Held Up. SAN ANTONIO, Texas, December 21 .-Westbound passenger train No. 2 on the Southern Pacific railroad was held up by three masked men and three money packages from the express car were stolen at midnight last night near Comstock, 208 miles east of San Antonio.

TO SERVICE AND STREET STREET

Harry Davis a Leading Candidate to Succeed Mr. Birney.

Cleveland Expected to Follow the Example of Harrison in Making an Eleventh-Hour Choice.

The early expiration of the term of Dis trict Attorney A. A. Birney is being anticipated by several gentlemen who hope to succeed him. Mr. Birney was appointed in February, 1893, by President Harrison for a term of four years, and his term will expire the 6th of next February. As President Harrison appointed in Mr. Birney, a republican, a few weeks previous to the expiration of his own term, it is generally believed that President Cleveland will not hesitate to follow his predecessor's example. Therefore, the local democrats expect that not only will a democrat be appointed to suceed Mr. Birney, but they also expect that Major McKinley will follow Mr. Cleveland's example and allow the democratic appointee to complete his term

of four years. Before it was definitely known that Mr. Cleveland would permit Mr. Birney to complete his term, one of those most prominently mentioned as a candidate for the office was Mr. Henry E. Davis, a wellknown member of the local bar. Quite an effort was made in his behalf by his friends, and their efforts only ceased when they learned that Mr. Birney would be allowed to serve four years. Now, in antipation of Mr. Birney's retirement, Mr. Davis' friends are making another determined effort to secure his appointment. And what is more they enpear to be And, what is more, they appear to be rather confident that their efforts will prove successful.

prove successful.

Mr. Davis is a native of this city, is one of the faculty of the law department of the Columbian University, and is also president of the District Bar Association. He is a democrat, of course, although he could not and did not advocate the election of his party's nominee, William J. Bryan, during the late presidential campaign. Indeed, he was known as an outspoken gold democrat, and his debate with Mr. Stilson Hutchins here late in the campaign is well remembered. Outside of his legal qualifications for the office of district attorney, his friends claim that his position during this campaign entitles him to more than ordinary consideration by President Cleveland.

Speaking to a Star reporter today, Mr. Davis stated that with his consent his friends are kindly pressing his name before the President as Mr. Birney's successor, the President as Mr. Birney's successor, and he had learned that they are confident of success. If he should be considered worthy of the position by Mr. Cleveland and should be tendered it, Mr. Davis said he would accept the appointment, and, if appointed, would devote his very best efforts to performing the duties thereof in a manner acceptable to the people of the whole District.

It is also reported that Judge Thos F

whole District.

It is also reported that Judge Thos. F. Miller of the Police Court would accept the appointment, and it is understood that his friends will present his name to President Cleveland. Judge Miller is also a democrat, and it is claimed by his friends, and they are many, that he would make an excellent prosecuting officer. Assistant District Attorney Hugh T. Taggart is also mentioned in connection with the office. He has been known as the first assistant district attorney for several years, and is regarded as a man of much learning and considerable ability. He is also said to be a democrat. While he is not known as an aspirant to the position, it is generally admitted that he would prove a hard man to heat if he should apply for the position.

Assistant District Attorney Tracy L. Jef-Assistant District Attorney Tracy L. Jeffords, although a republican, is also regarded as being desirous of succeeding Mr. Birney. He is from Ohio, and it is understood that he enjoys the friendship and confidence of President-elect McKinley. Mr. C. Maurice Smith is another republican who would accept the position, although it is understood that he will make no fight for it. Whoever is appointed will be it is for it. Whoever is appointed will be, it is generally believed, a local man.

THE SUPREME COURT.

Reargument in the Laclede Gas Case-To Set Aside a Former Judgment. In the United States Supreme Court Chie Justice Fuller today announced a reargument in the Laclede gas case, involving the franchise of the Laclede Gas Company of St. Louis, Mo.

Solicitor General Conrad filed a motion with the court to set aside the judgmen entered and grant a new hearing in the case of the Northern Pacific railroad vs. Leonard P. Colburn, in order that the United States may have an opportunity to intervene. He stated that the case involved the rights of many thousands of settlers The case was appealed from Montana, where Colburn claimed land within the where Colburn claimed land within the where Colburn claimed land within the Northern Pacific grant on a settlement made prior to the location of the grant, though no filing had been made. The Inthough no filing had uniformly held that such settlement exempted land from the operations of a grant. The Supreme Court took the opposite view in the Colburn case and rendered an opinion which the land office officials say must result in ousting many settlers from their homes all through the west if allowed to stand. The court granted a stay of the mandate and will consider the motion aside its former judgment.

Treasury Department Changes. The following changes have been made in the classified service in the Treasury De-

Appointments: Secretary's office-J. B Moulton, Pennsylvania, \$720 per annum. Office of the State and other departments Granby Hillyer, Georgia, \$900 per annum Office of internal revenue-A. C. Proctor. Illinois, \$720 per annum.

Office of controller of the currency-P. H Maxwell, California, \$300 per annum.

Promotions: Secretary's office—L. M
Charles, Indiana, from \$1,200 to \$1,400; John
Florin, Missouri, from \$500 to \$660.

Office of controller of the currency—W. V Price, New York, from \$720 to \$900 Office of internal revenue—Miss C. B. King, Connecticut, from \$1,000 to \$1,200; Miss A. Fallon, West Virginia, from \$900 to

Electric Light Contract Approved. General Craighill, chief of engineers, today approved the recommendation of Coionel Wilson, in charge of public buildings and grounds, that the contract for erecting and maintaining electric lights in Franklin Lafayette, Judiciary and Lincoln parks be awarded to the Potomac Electric Power Company at its bid of 27 cents per lamp

Officers Commissioned.

The President has commissioned the foilowing officers of the militia of the District of Columbia: Jesse B. K. Lee, captain of Company C, 1st Infantry; Thacker V. Walker, first lieutenant of Company C, 6th Infantry; Francis C. Mattingly, first lieutenant of Company D, fifth Infantry; Edward W. Zea, first lieutenant of Campany C, 1st Infantry; James E. Hosford, first lieutenant of Company B, 6th Infantry; Walter D. Davidge, jr., second lieutenant of Company C, 1st Infantry.

Naval Movements. The gunboat Machias has sailed from Swatow for Hong Kong, and the Minne-apolis from Smyrna for Alexandretta.

National Bank of Illinois in the Controller's Hands.

STATEMENT BY THAT OFFICIAL

He Ascribes the Suspension to Gross Negligence. -

INJUDICIOUS LOANS ALLEGED

CHICAGO, December 21.-The National Bank of Illinois, one of the oldest and bestknown banking institutions in the city, and with assets of between twelve and fifteen million dollars, closed its doors today. The following notice was posted on the doors before the opening of banking hours: "This bank is in the hands of the na-

tional bank exchange. By order of the controller of the treasury." This action was decided upon at a meeting of the directors of the bank last night

ing of the directors of the bank last night after the bank had been suspended from the Clearing House Association of Chicago at a meeting of the clearing house committee held earlier in the day.

Of the sixteen banks that cleared through the National Bank of Illinois two closed their doors as a result of the closing of that institution. They are E. S. Dryer & Company and Wasmansdorff & Heineman. These institutions are mortgage, loan, bank and saving companies in a small way, and their failure is not expected to affect bank and saving companies in a small way, and their failure is not expected to affect any business house. The assets of E. S. Dryer & Company are given at \$1,600,000, with liabilities of \$1,200,000. The figures for Wasmansderff & Heinemann are approximately: Assets, \$650,000; liabilities, \$400,000. The Security Title and Trust Company was appointed receiver for both firms.

Six banks have made arrangements to clear through other banks, and the balance of the sixteen are making similar arrange-The failure was a great surprise in finan-

ments as tast as possible.

The failure was a great surprise in financial and business circles.

The cause of the suspension as given in the resolutions, adopted by the clearing house committee are "unwarrantable and injudicious loans" through which "the capital and surplus of said bank is seriously imperiled, if not absolutely lost."

NEW YORK, December 21,—Officials of the Mercantile National and the American Exchange National banks of this city, correspondents of the National Bank of Illinois, say they will not be affected to any important extent by its failure. The American Exchange has merely handled collections for the Chicago bank, and is actually a debtor to it. The Mercantile National Bank people say that the Chicago bank does not owe them except for notes in their hands for collection, and express deep sympathey for the officials of the Chideep sympathey for the officials of the Chi-cago bank.

Financial Circles Not Disturbed. One of the leading bankers and financiers of this city at noon today said to an Associated Press reporter: "The failure of the Bank of Illinois has created no disturbance of consequence in financial circles here. One or two private bankers, who were really nothing but mortgage dealers, have failed; but this is only a natural con-sequence of shrinking real estate values." The statement was made that a loan of road Company, of which J. W. Farson of Farson, Leach & Co. is president, had caused the National Bank of Illinois to suspend. Mr. Farson declined to make a statement on that subject, but stated that the failure would not affect the Calumet

Heavy loans on real estate are also cald the bank showed: Deposits, \$12,175,766; oans 30.199.642; cash resources, \$4.083.202 loans, \$9,199,642; cash resources, \$4,083,202. It is thought probable that none of the depositors will suffer by the suspension, as the bankers who were present at the meeting of the committee have recommended for consideration the proposition to advance to per cent on all adjusted claims against the National Bank of fillinois. In addition to this they have agreed to use their influence with all other members of the Clearing House Association to accept all such claims House Association to accept all such claims as collateral at the same ratio.

The National Bank of Illinois was organ tred in August, 1871, with a capital stock of \$200,000, which was subsequently increased to \$1,000,000. It was regarded as one of the soundest financial institutions in the city.

The Press Club is one of the sufferers by
the suspension, all the proceeds of the advance sale of tickets for the foot ball game between the Carlisle Indians and the University of Wisconsin eleven, which was held under the management of the Press Club, amounting to over \$3,000, having been deposited Saturday.

It was announced that the Drovers' National Bank which eleved threat the

tional Bank, which cleared through the National Bank of Illinois, will clear through the Commercial National. The West S Bank will also clear through the Commer-

cial National.

The suspension had but little effect either in the wheat pit or on the stock exchange. Wheat, indeed, showed strength after the opening 5-8 decline, and the stock market as dull and only fractionally lower. Neither the bank examiner nor any officer National Bank of Illinois will mak any statement at present.

Controller Eckels' Statement. Controller Eckels today gave out the following statement concerning the failure of

the National Bank of Illinois: "I am advised by Bank Examiner Me-Keon that the National Bank of Illinois has closed for business and is now in his hands for the controller of the currency. In order to prevent any delay in proving claims against the bank, and to obtain for creditors at a very early date the largest part of the amount due to them, I have appointed Mr. McKeon temporary receiver, with telegraphic instructions to publish notice of proof of claims at once. The clearing house committee of Chicago have advised me through the examiner that the advised me through the examiner that the clearing house will immediately advance 75 per cent of the face of approved claims, and thus give creditors of the bank immediate relief and prevent unnecessary dismediate relief and prevent unnecessary dis-turbance of business. I have also directed the receiver while securing all loans of a doubtful character to exercise the utmost caution so as not to work any hardship upon the business interests of those dealing with the bank and depending upon it. The advance made by the clearing house, it is to be understood is not in hayment of each to be understood, is not in payment of such claims in full, but simply a loan of such an amount with the certificates as collateral

Caused by Bad Methods.

"The failure of the bank is due to inudicious, reckless and imprudent methods, followed by the officers and not checked by the directors, though their attention had been individually called to the same and over their individual signature they had promised to remedy the weak points in the

promised to remedy the weak points in the bank's condition.

"The largest source of failure is the bank's holdings of the Calumet Electric street railway stock, the full amount of which cannot now be stated, for it is discovered that a part of such holdings was not made to appear on the books, but concealed in another account. This and other large doubtful loans had been called by special letter to the attention of the officers and directors and specific improvement promised a year since. In June last on the surface there had been made an improvement, but when Bank Examiner Mc-Keon, on November 30, examined the bank he found that the books showed that the loan of the Calumet Electric Company and other similar loans had been increased,

DISTRICT ATTORNEY CLOSED THE DOORS and the promises of officers and directors CAMERON'S REPORT Controller Eckels' Warning.

"Upon this report I prepared a letter adlressed to the president and directors, which I sent to the examiner on December 14, to be read to them at a meeting called for this purpose. This letter re-viewed at length the condition of the bank and the failure of the promises made to be fulfilled. It emphasized the position taken by the office that a decided and radical change had to be at once made, and notified the directors to take immediate steps to put the bank in condition. The letter was presented to the directors, with a full and complete analysis on the part of the examiner of the matters in the bank demanding attention.

examiner of the matters in the bank de-manding attention.

"On Saturday I received notice from the examiners that rumors of the bank's con-dition had reached the clearing house com-mittee, and they desired to have his report read to them. I ordered it to be done, but suggested that before doing so he see the officers of the National Bank of Hitnois and obtain their acquiescence. This was ob-tained, and the vice president of the bank was present with the clearing house com-mittee.

Suspended From the Clearing House "The condition revealed led to the resolu tion to suspend from the clearing house. Before action was taken, however, the examiner telegraphed me, and in reply I suggested that in view of the large interests involved great care should be had, and, even at the risk of taking some chances, funds might be provided if it was deemed safe to do so, to afford voluntary liquida-tion. The assets of the bank were examin-ed and its management as shown by the examiner considered, and as a conclusion it was decided that the bank should be suspended from the clearing house, and funds not furnished for voluntary liquidation. Three of the bank's directors were present at these meetings.

Gross Negligence Charged.

"In view of everything I am convinced that the clearing house committee acted judiclously. The management on the part of the officers and directors has been, to liabilities of the bank are large, but by careful and judicious management the loss entailed upon creditors need not be large, if any. Every measure will be taken by the clearing house and the controller's office to prevent other banks or business failures and unnecessary monetary stringency. Already all outside banks having the National Bank of Illinois as a reserve agent have been notified by telesraph of the 75 per cent clearing house arrangement. A large amount of difficulty can be prevented if those depending upon the banks of Chicago and elsewhere affected by this bank's fallure use good judgment and on not work themselves into a state of panic. Other banks can be made to fall may through those having funds with ten becoming frightened and making uncessary demands. On the other hand, the banks ought to be careful and prudent in set unnecessarily calling the loans of their business customers."

CHRISTMAS AND THE POOR

The Evening Star Santa Claus Chub and Its Work.

The Pound Party to Be Held Wednesday-Funds Needel for Shoes for Destitute Children.

There is nothing so likely to call atten tion to the needs and sufferings of the poor as the coincidence of cold weather and the glad Christmas time.

At the season of the year when, if ever, joy and peace rule in the homes of all, when preparations are making to add to the happiness and pleasure of loved ones, it is no easy matter to forget that there are homes where Christmas means little but an aggravation of distress by com-

parison with what might be.
Of all the festivals of the year there is none so dear to the hearts of little child-dren as Christmas, for to them it means the realization of all their hopes and dreams. It means happiness for most children, but unfortunately, not for all. There are little ones, dear to a mother's heart as any darling in a home of wealth, who will hang up their stockings on Christmas eve and wake early Christmas morn to find them empty.

Life for grown-up people is not free from sorrow, but rarely is there a sorrow as keen as that known by a little child when he realizes that Santa Claus is not a friend of his, and for some reason unknown to him has passed him by to go to homes where parents are rich and could provide joy for their children without the assistance of the dear old saint.

It is for just such children as these, the little ones who are not down on Santa's visiting list, that The Evening Star Santa Claus Club is designed. It is the children's club, and its aim is to make other children happy. It is a channel through which Christmas charities can pour. Readers of The Star know that they may give to the club with the feeling that whatever they may see fit to give will reach some deserving person who is in need of the bare necessities of life. This year, as last, the Christmas Club

This year, as last, the Christmas Club will devote itself to a pound party for the benefit of the poor. Its objects meet with the hearty approval of the public school authoríties, and, through their co-operation, every public school building in the District will be made a depot for receiving supplies on Wednesday, the day set apart for the pound party. The supervising principals have directed all the teachers to bring the matter to the attention of their scholars, and have urged them to their scholars, and have urged them to make the best of the opportunity to give the children a lesson in practical philanthropy. Wednesday is the last school day before the Christmas vacation, and it is hoped that on that day every person who can will send a donation to the school

before the Christmas vacation, and it is hoped that on that day every person who can will send a donation to the school building nearest his home.

What is wanted most of all is provisions of a non-perishable nature. Old clothing, for sanitary reasons, is not desired. All donations, and it is expected that they will be generous, will be gathered up in wagons provided by The Evening Star, and taken to the depots, from which they will be distributed to the poor of the city, through the regular charity organizations. But there is much need for money in addition to these supplies. Under the direction of the supervising principals of the schools funds raised by the club have been expended in former years in purchasing shoes for children, who would otherwise be unable to attend the schools. There is nothing that can be of more practicer benefit to poor children than a part of good warm shoes. Many who will not find it convenient to contribute supplies to the fund of the Santa Claus Club. The Evening Star will receive and account for all subscriptions made and turn the money over

fund of the Santa Claus Club. The Evening Star will receive and account for all subscriptions made and turn the money over to the supervising principals of the public schools, who will see to its expenditure. Subscriptions to The Evening Star Santa Claus Club have been received as follows: Heretofore acknowledged... \$102.00 R. W. 1.00 G. S. B. 1.00 B. 2.05 Mrs. M. J. R. 1.00 J. H. L. 50 A. A. H. 1.00 J. H. L. 50 A. A. H. 1.00 J. H. L. 50 McK. 2.06 R. W. 1.00 J. H. L. 50 McK. 2.06 R. Mrs. M. J. R. 1.00 J. H. L. 50 McK. 2.06 R. 1.00 McK. 2.00 McK

His Reasons Why His Resolution Should Be Adopted.

HISTORY OF EUROPEAM INTERVENTION

Position of the United States From President Monroe Down.

PARTICULAR CASE OF CUBA

Senator Cameron today presented to the Senate the report of the committee on forign relations favorable to the adoption of the following joint resolution:

"Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the independence of the republic of Cuba be and the same is hereby acknowledged by the United States of America.

"Be it further resolved, That the United States will use its friendly offices with the government of Spain to bring to a close the war between Spain and the republic of Cuba."

The report is very voluminous. It says: congress at its last session, after long and patient consideration, adopted with practical unanimity the view expressed by your committee that the time had come for resuming intervention with Spain for the recognition of the independence of Cuba. Spain having declined to listen to any representation founded on an understanding between herself and the insurgents, and Congress having pledged itself to friendly state it mildly, grossly negligent. The intervention, the only question that remains liabilities of the bank are large, but by to be decided is the nature of the next step to be taken, with proper regard to the customs and usages of nations.

Before deciding this question your com-

if any. Every measure will be taken by mittee has preferred to examine with some care all the instances which have occurred, during this century, of insurgent peoples claiming independence by right of revolt. The inquiry has necessarily led somewhat far, especially because the right of revolt or insurrection, if insurrection can be properly called a right, seems in every instance, except one, to have carried with it a corresponding intervention. For convenience we have regarded both insurrection and intervention as recognition as a convenience of the convenience. tervention as recognized rights, and have attempted to ascertain the limits within which these rights have been exercised, and their force admitted, by the general consent of nations.

consent of nations.

The long duration of the French revolutionary wars, which disturbed the entire world for five and twenty years, and left it in a state of great confusion, fixed the beginning of our modern international systems at the year 1815, in the treaties of Vienna, Paris and of the Holy Alliance. The settlement of local disturbances, under the influence of the powers parties to these treaties, proceeded without serious disagreement until 1821, when the Greeks rose in insurrection against the sultan. The modern precedents of European insurrecreement until 1821, when the sultan. The in insurrection against the sultan. The modern precedents of European insurrections where independence tion and intervention, where independence was the issue involved, began with Greece.

Greece 1821-1827. end of March, 1821. Within a month the rebels got possession of all the open country, and all the towns, except so far as they were held by Turkish garrisons. The sultan immediately called all Mussulmans to arms; the Greek patriarch was hung at the door of his own church at Constanti-nople; several hundred merchants were massecred; several hundred Christian churches were destroyed and the Russian churches were destroyed and the Russian annoused finsulted. At Tropau, in November, 182), the three powers of Russia, Austria and Prussia, united in signing a protocol expressly intended to assert the right of intervention in all cases where a European power "snould suffer, in its internal regime, an alteration brought about by revolt, and the results of which are menacing for other states." The language of this protocol had much to do with the subsequent course of events. absequent course of events.
"Faithful to the principles they have proclaimed, and the respect due to the author-

well as to every legitimate government, as well as to every act which emanates from its free will, the allied powers will engage to refuse their recognition to changes consummated by illegal methods. When states where such changes shall have been ef-fectuated shall cause other countries to fear by their proximity an imminent danger, and when allied powers can exercise in regard to them an efficacious and beneficent action, they will employ, in order to restore them to the bosom of the alli-ance, at first friendly processes; in the ance, at first friendly processes; in the second place, a coercive force, if the exercise of that force becomes indispensable."

After reviewing the diplomatic contest this produced, the report proceeds:

"In the whole discussion, from March, 1821, until January, 1823, the right of intervention, was never disputed except by

tervention was never disputed, except by Turkey. On that point the whole law was stated in conversation between the British ambassador and the Turkish minister. The Turk took the ground that everything had been done by Turkey if she had satisfied her treaty obligations. "Everything as against Russia," replied Strangford, the British ambassador; "but not as regards the allies and friends of the porte. Accordthe allies and friends of the porte. According to Turkish law, it was not allowed to leave a house in a condition that endangered a neighbor's safety. The Turkish government believed it had restored the old solidity of the wall, but he (Lord Strangford) feared they were mistaken." "God forbid," said the Turk; "but in any case this would be our affair, not yours." "Jod forbid," repeated Lord Strangford; "for this is our affair as well as yours." Belligerency Recognized.

This was the situation when Lord Cas-

tlereagh died and George Canning became prime minister of England. He began by recognizing Greek belligerency. The Greeks issued a proclamation declaring a strict blockade of the ports of Patras and Lepanto, and thereupon the Ionian high commissioner, on the 17th of November, 1824, recognized this "communication from persons exercising the functions of government in Greece," and ordered "all ships and boats, of whatever description, bearing the respect the second to the sec the Ionian flag to respect the same the most strict and exact manner." the most strict and exact manner."

This seems to have been the step which led to Canning's somewhat famous definition of the nature of belligerency in 1825. "The Turkish government," we are told, "complained that the British government allowed to the Greeks a belligerent character, and observed that it appeared to forget that to subjects in rebellion no national character could properly belong." To this remonstrance Canning replied, through the British resident at Constantinople, that "the character of belligerency To this remonstrance Canning replied, through the British resident at Constantinople, that "the character of belligerency was not so much a principle as a fact; that a certain degree of force and consistency acquired by any mass of population engaged in war entitled that population engaged in war entitled that population to be treated as a beiligerent, and, even if their title were questionable, rendered it the interest, well understood, of all civilized nations so to treat them."

This proposition must have seemed somewhat broad, even to Canning, for in applying it to the special case of Greece he added that "a power or community, call it which you will, which was at war with another and which covered the sea with its cruisers must either be acknowledged as a beiligerent or dealt with as a pirate."

At that time no other power than England, and Turkey least of all, admitted the necessity of this alternative, since the war had then lasted four years without producing it; but what no other power was ready to admit in 1825 became the accepted law of all Europe in 1861, in a form

(Continued on Twelfth Page.)

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Opinions of Interest Rendered by the

Statement by Ex-Attorney General Miller Regarding the Issue Made by Secretary Olney.

INDIANAPOLIS, Ind., December 21.-The Journal today prints a letter signed by W. H. H. Miller, ex-Attorney General of the United States, on the Cuban question.

It is as follows:

"As the issue made by the Secretary of State as to whether the recognition of the insurgent government in Cuba is a legislative or executive function is now of public interest, the following expressions by the courts may be worthy of attention. In the case of Williams agt, the Suffolk Insurance Company (3 Sumner, 272) the right of recovery upon an insurance contract turned upon the question whether the sovereignty of Buenos Ayres extended over the Falkland Islands. It was on one side contended that the question was one for the court to decide as it would any judicial question. Mr. Justice Story, deciding the case at circuit, said: 'It is very clear that it belongs exclusively to the executive department of our government to recognize from time to ime any new governments which may arise in political revolutions in the world and until such new governments are recognized they cannot be admitted by our courts of justice to have or to exercise the common rights and prerogatives of sov-

"The case being carried to the Suprem-Court of the United States, Mr. Justice McLean, speaking for that court, said: 'Can there be any doubt that when the executive branch of the government, which is charged with our foreign relations, shall in its correspondence with a foreign na-tion assume a fact in regard to the sov-ereignty of any island or country, it is con-clusive in the judicial department? And in this view it is not material to inquire, nor is it the province of the court to determine, whether the executive be right or wrong. It is enough to know that in the exercise of his constitutional functions he has decided the question. Having done this under the responsibilities which belong to bim, it is obligatory on the people and government of the Union (13, Peters reorts. 415) "These decisions have been repeatedly cited, and so far as known to the writer,

LYNCHING AT MAYFIELD, KY.

The Prisoner Taken From Jail by

Mob and Hanged. MEMPHIS, Tenn., December 21.-A spe cial to the Commercial Appeal from Mayfield, Ky., says that Sheriff Cook and W. A. Usher arrived there yesterday having in charge Jim Stone, who has been in Louisville for the past two weeks. Stone's tria was set for Tuesday, December 27, in circult court. H. J. Moorman and Gus Thomas had been appointed to defend the negro by the court, and were in close consultation with him nearly the entire day.

Stone, who was charged with criminally assaulting Mrs. J. M. R. Green at her residence at Mayfield on the night of November 24, was arrested by Sheriff Cook the day after the crime was committed. Stone denied his guilt, but the evidence was overwhelmingly against him. He was moved to Paducah and then to Louisville safety, several attempts at lynching having

been made. Last night a mob of about 500 masked ren assembled a few hundred yards from the Mayfield court house and marched to the county jail, and after breaking down the doors of the prison entered and secured the negro. He was carried to the court yard and swung up to a limb at 2 o'clock and the mob fired shots through his body. The jailer attempted to defend the negro but the mob demanded him in such a man ner that he was forced to surrender him The negro made a statement to the effec that another negro committed the crime but the mob paid no attention to his words The negro offered prayer while knives were being plunged into his body, but to no avail. A placard was pinned on his body ar nouncing that he should not be taken down until 12 today. Several other negroes residing in the city were notified to take fair warning.

FOR MR. DINGLEY'S SEAT.

Hot Contest in Case He Goes Into President McKinley's Cabinet. Special Dispatch to The Evening Star.

LEWISTON, Me., December 21.-It is now generally believed here that Representative Nelson Dingley will be a member of President McKinley's cabinet, and already the candidates for his seat have begun to get into line. Among the number are Judge Enoch Foster, one of the members of the Maine supreme court; Charles E. Little field, who seconded the nomination of Thos. B. Reed in the St. Louis convention, and George C. Wing of Auburn, a well-known lawyer and politician, who was chairman of the republican state committee in the days of James G. Blaine. The last name to appear in the lists is that of Harold M Sewall of Bath, the son of Arthur Sewall, the vice presidential candidate for the silver democrats in the last campaign.

In the event that Mr. Dingley does go into the cabinet, the contest for the republican nomination for his seat will be one of the better and the hottest and most interesting ever see in the state, and will not fail to attract

national attention.

It is understood that Joseph H. Manley. who is the Maine member of the republican national committee, is very friendly to young Mr. Sewall, and, although not in his district, will do all he can to help his can-Mr. Dingley succeeded Mr. Frye House in 1881, and has served his district with distinguished ability

DUTTON SENTENCED.

Three Years' Imprisonment and \$5,00

- Fine. NEW YORK, December 21.-Stephen Dutton, who was convicted ten days ago, after a lengthy trial, of swindling Miss Alys Godfrey of Washington out of valuable real estate, was today sentenced to state's prison for three years and to pay a fine of \$5,000, or to stand committed one day for

each dollar until the fine is paid. Judge Newberger, in passing sentence said there was not a mitigating circum stance in the case; that Dutton had added perjury to his crimes, while testifying in his own behalf during the trial. The court said he had not only deprived Miss God-frey of property, but he had, by innuendo endeavored to injure her reputation.

Coming to Wed Miss Bonaparte.

NEW YORK, December 21 .- Count Adam Moltke arrived on La Gascogne today, and was met by Jerome Napoleon Bonaparte of Washington and N. L. R. Edgar of New York. Count Moitke has come to marry. Miss Louise Bonaparte of Washington. The ceremony will take place on the eve of the new year.

The President and his comp have been hunting in South Carolina waters for a week returned to the city at the early hour yesterday morning. The President's good luck attended him in the sport, and the string of ducks brought home were distributed to friends in the city.

The President Has Returned.

RIGHTS OF THE EXECUTIVE MR. OLNEY'S POSITION

If you want today's

news today you can find

it only in The Star.

Senators and Representatives Discuss His Statement.

HIS ASSUMPTION OF POWER

May Be Sensational Developments in the Matter.

EXPRESSIONS OF OPINION

There seems to be little prospect that the Cuban resolutions will be adopted by the wo houses of Congress. It is evident, however, that there is going to be a bitter fight over the matter. The declaration of Secretary Olney that the President would not be bound by the action of Congress has excited great indignation in both houses, and in a measure changed the issue from that involving the independence of Cuba to one of the question of authority between the President and Congress. Many who are not disposed to favor the Cameron resolution are so indignant in their resentment of Mr. Olney's statement that they are inclined to go to most any extreme in vindication of the authority of Congress. The leaders who oppose the Cuban resolutions are generally offended at Mr. Olney's course, on the ground that it will strengthen the resolutions. Their criticism is that Mr. Olney should have known that there was not the most remote possibility of the resolutions being adopted, and that, therefore, he should not have raised the question of authority to embarrass the situation.

Mr. Olney's Only Excuse.

It is said that he fully understood that this declaration on his part was not rendered necessary by any situation existing in Congress, and the only excuse found for it is that there was something in the relations between the State Department and Spain

between the State Department and Spain which demanded this public assurance as to the friendly attitude of the administration toward Spain.

The fact is believed to be that, as was indicated by information before the meeting of Congress, Spain has been assured by the administration that within a certain limit of time this government will not interfere in the Cuban matter, and that after the expiration of that time some settlement must be had. The action of the Senate committee threatened the breaking of this understanding, and the inference is that it committee threatened the breaking of this understanding, and the inference is that it was on account of this that Mr. Olney felt compelled to reassure Spain. His statement intensified rather than relieved, the feeling in Congress.

Will Filibuster in the Senate.

The opponents to the Cameron resolutions in the Senate do not intend that they shall pass them. They openly threaten a fillbuster that will consume the entire session. The fact that there is to be an extra session of Congress anyhow relieves the defeat of appropriation bills at this session of much of the gravity of responsibility. they an went over until the extra session they might then be passed in time to go into operation by the 30th of June. This situation makes the cpponents of Cuban independence adopt a course of filibuster. In addition to this the practical certainty went over until the extra that the House will not act may have a tendency to weaken the efforts in behalf of the resolutions in the Senate when it is found that the filibuster is in earnest,

Sensational Developments Expected. The situation is liable, however, to develop sensational features, for if it is found to be rue that Mr. Olney has actually by direct ommunication assured Spain that the resolutions of Congress would not be obeyed if adopted, a determined effort would be

Will Not Pass the House.

General Draper of Massachusetts, who in the absence of Mr. Hut is acting chairman of the foreign affairs committee of the House, and is also one of the subcommittee of three charged with the special consideration of the Cuban problem, said this

"In my judgment no such resolution as Mr. Cameron's will get through the House committee in this Congress. The subcommittee in this Congress. The sub-committee, consisting of Mr. Adams of Pennsylvania, Mr. Tucker of Virginia and myself, are all opposed to ill-considered ac-tion, such as this would be, and I think the committee as a whole feels the way with substantial unanimity. has been a great change of feeling on this question, not only in committee, but in the entire House, since the last Congress, and I believe the House has now become the conservative body."

Duty of the Executive.

Representative Baker of New Hampshire locked at the Olney letter and the Cuban situation in this light: "My opinion is that it is the duty of the chief executive to obey all statutes and resolutions of Congress whenever they become law, either by his approval or when they are passed over his veto; and any failure to carry out the will of Congress thus expressed would render the President or any of his Secretaries liable to impeachment; and it might taries liable to impeachment; and it might become the duty of Congress in defense of free government to take action in that regard, irrespective of any views held on the Cuban question. Personally, I believe this government should, so far as possible, extend to the patriots fighting for free government in Cuba our aid, without committing a breach of international law. I voted for the recognition of belligerency and would do so again, because I do not believe such a recognition can be considered as a breach recognition can be considered as a breach of our international duty. I should be will-ing to vote for a recognition of independence. The Cubans are suffering from taxation without representation and other wrongs vastly in excess of those which led our forefathers to declare and maintain their independence." Representative Hill of Connecticut: "I

haven't given the letter of Secretary Olney full consideration, but I am in favor of doing anything lawful or honorable for Cuba, although I am not in favor of war."

Mr. Olney's Position.

Representative Henry of Connecticut: "I am not a lawyer, but it was a great surprise to me to see the claim made that the President would refuse to comply with a two-thirds vote of Congress overriding a veto. The controversy practically ends the Cuban question in this House. Mr. Olney's

Representative Gillet of Massachusetts said: "Secretary Olney's view gives the President more power than I should be willing to credit him with without more in-

willing to credit him with without more investigation on the subject, but it seems to me that Congress ought to have a right to interpose in so delicate a matter. I am not, however, in favor of the recognition of the Cubans at present."

Representative Walker of Massachusetts: "The President has large powers in foreign relations, and he ought to have. There are many things in diplomatic matters which cannot be given the public, and which the President only understands fully. The President should have full power in all these matters, except an actual declaration of war, which rests with Congress alone."

Not in a Condition for War. Representative Miller of West Virginia "I am inclined to think Mr. Olney is right in the main. I am opposed to the Cameron resolutions, if they would involve us in